

SUB-CHAPTER 2.9
INTERSTATE COMMERCIAL DISTRICT "IC" REGULATIONS

SECTION

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14-2.901. Scope. This district provides for a broad range of business, commercial and retail uses that reflect the character of areas redeveloping from less intense land uses to more urbanized activities. Due to the proximity of the interstate highway system, some uses in this zoning district appeal to broader, regional market and transient traveling public. Certain properties in this district may be affected by other Local, State, and/or Federal land use requirements, such as the State of Tennessee, Scenic Highway Act.

- 14-2.902. Uses permitted.**
- (1) Business, Commercial, and Retail activities conducted indoors, Shopping Centers under 25,000 sq. ft.
 - (2) Office, Bank, and Professional Services.
 - (3) Governmental utility applications
 - (4) Convenience stores with automobile refueling stations.
 - (5) On-premises signs, as regulated by Chapter 4 of Tittle 14, of the Alcoa Municipal Code.
 - (6) Restaurants, indoor seating only, where on-site food and beverage consumption are the primary service. Drive through and outdoor service are prohibited, except as allowed as a special exception.
 - (7) Dish antenna, to be screened and located on the roof and/or rear yard only.
 - (8) Public and private parks.
 - (9) Hotels and Motels, under 100 units.
 - (10) Sexually oriented businesses as defined in Ordinance No. 99-020, the terms of which by reference are incorporated herein as fully as if set forth verbatim herein; however, such businesses shall not be permitted on any property which is within 1,000 feet of the following:
 - a. A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;
 - b. A public or private educational or child care facility including but not limited to, day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, colleges, and the school grounds of any such facility, provided that this requirement shall not apply to facilities used primarily for another purpose and only incidentally as a school;

c. A boundary of any residential zoning district or the property line of a lot devoted to a residential use, including single family detached and attached dwellings, nursing homes and assisted living facilities;

d. A public or private park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, athletic field, basketball or tennis courts, pedestrian/bicycle path, wilderness areas of other similar public land which is under the control, operation or management of any government park and recreation authority, private corporation or non-profit agency;

e. An entertainment business which is oriented primarily towards entertainment for children or families, including, but not limited to, any business featuring movie theaters, game rooms which include games intended primarily for children, or other similar recreation or entertainment or athletic facilities;

f. A funeral parlor, mausoleum or cemetery.

For the purpose of enforcement of (10) of this subsection, the following will apply:

1. Measurement of sexually oriented businesses shall be made in a straight line, without regard to intervening structures or objects, from the nearest point of the building or structure used as the part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in (10) a-f above. The presence of a city boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.

2. A sexually oriented business lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the commencement of operations of the sexually oriented business, of a use listed in (10) of this subsection, within 1,000 feet of the sexually oriented business.

3. No sexually oriented business may be established or operated within 1,000 feet of a pre-existing sexually oriented business. For purposes of this section, the distance between any two sexually oriented business shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the nearest portion of the building or structure used as the part of the premises where the pre-existing sexually oriented business is conducted to the nearest property line of the premises proposed for the location of a sexually oriented business. No structure or parcel that contains any sexually oriented business shall contain any other kind of sexually oriented business.

4. No sexually oriented business may be enlarged so as to violate the provisions of this section.

14-2.903. Uses not permitted. Land uses that are excluded from this listing are generally not permitted. Land uses that are consistent with the intent of this section but not specifically mentioned will be considered. The Board of Zoning Appeals will decide any individual case where an applicant disagrees with the City staff on an interpretation of use. Examples of such uses not permitted in this district include but are not limited to the following:

(1) Stock yards, or similar activities where animals, fish or fowl are processed for resale in wholesale quantities.

(2) Auto wrecking, junkyards, heavy equipment repair and outside maintenance facilities.

(3) Any use which creates corrosive or toxic fumes, gas, smoke, odors, obnoxious dust or vapors offensive noise or vibrations.

14-2.904. Uses permitted as special exceptions. The following uses may be permitted in review by the Board of Zoning Appeals in accordance with the provisions contained in Section of 13-7-207 of the Tennessee Code Annotated; and the Board shall

state, in writing, its determination and reasons for either accepting (with or without modification) or rejecting the proposal. Additional site improvements such as landscaping, buffering, additional setbacks, traffic control, and restriction of access, may be required as a condition of approval depending on the impact of the proposed use on adjacent existing land uses, utility and transportation systems and future land uses for the area. The City may request such information and professional analysis from the applicant to support any proposal that may impact existing systems.

(1) Service stations which dispense fuel and offer repair facilities, granted that all repair work be contained within the service station and any storage areas for vehicles or parts be screened from sight.

(2) Outside sales and storage. Applications requesting permanent outside storage shall first submit a landscaping/buffering plan designed to screen the items stored outside.

(3) Drive through and out-door service establishments, selling or serving prepared food and beverages.

(4) Shopping centers, over 25,000 sq. ft. where traffic, drainage, and utility impacts are mitigated by the proposed development plan.

(5) Mixed use developments, including residential applications that are submitted as a part of an overall comprehensive development plan. The maximum density of such residential portion of a mixed-use development shall not exceed 12 dwelling units per acre.

(6) Hotels and Motels, over 100 units.

(7) Public and private child care facilities.

14-2.905. Height of building. Buildings located in this district shall not exceed five stories or 70 feet in height. Property designated by the Scenic Highway Act shall be required to meet the height limitations set forth in the Act.

14-2.906. Area regulations.

(1) **Front yard.** The minimum set back point for all buildings (excluding canopies for weather protection at refueling facilities) shall be 40 feet from the front right-of-way. Awnings, covered porches and cantilevered sections of buildings must meet the setbacks as described. Canopies, as described above, may be set back 30 feet from the right-of-way or 90 feet from the centerline of the right-of-way, which ever is less.

(2) **Side yard.** No building shall be set closer than 20 feet at any point to the side lot line.

(3) **Rear yard.** There shall be a rear yard for a main building of not less than 20 feet at every point.

14-2.907. Parking requirements. Parking spaces shall be at least 10 feet wide and 20 feet deep. Two-way traffic circulation aisles will be at least 25 feet wide. Where possible, parking areas shall be designed to facilitate the connection of joint access between adjacent properties. Parking lots may not come any closer than 10 feet to the rear and side lot lines, except where an approved landscaping plan allows such variation. A visibility strip of 10 feet shall be included across the frontage of the property. Typically, the visibility strip is a non-paved area which discourages vehicular traffic and parking. Landscaped islands shall be installed every 15 spaces. Parking ratios for the following uses are as follows:

- (1) Restaurant, 1 space per 100 sq. ft. of gross building area.
- (2) Office, 1 space per 250 sq. ft. of gross building area.
- (3) Hotels and Motels, 1 space per rental unit and 5 spaces for every 1000 sq. ft. of administrative square footage.
- (4) Shopping Centers, four spaces per 1,000 sq. ft. of gross building area.

(5) Service stations and convenience stores, 1 space per 300 sq. ft. of gross building area.

(6) Commercial and Retail, 1 space per 200 sq. ft. of gross building area. Adaptive reuse of existing buildings must also meet the applicable parking ratio for the new use.

14-2.908. Signage. As per Chapter 4, Title 14, of the Alcoa Municipal Code.

14-2.909. Landscaping. All development proposals require a minimum 10 foot landscaping strip around the rear and side yards of the site or a permanent commitment of at least 10 percent of the gross area of the parcel to landscaped area. The landscaping plan shall balance the planting material on the site equally. Additional attention should be given to areas that are adjacent to existing residential uses and other sensitive areas. Landscaping that does not interfere with the vehicular visibility at access points along the frontage, may be installed in the front yard 10 foot visibility strip. A landscaping plan which includes at least two, (2) inch caliper trees for every four thousand square feet of paved area shall be submitted to the City. Applicants are encouraged to develop plans that exceed the minimum requirements.

14-2.910. Site access. Driveways allowing access from the public right-of-way to the site shall be at least 250 feet apart. In situations where the applicant does not have the minimum front footage required for multiple access points, the applicant may seek permission from the adjacent property owner to install a joint driveway on the common internal lot line. In addition to the regular traffic engineering analysis performed on each proposed point of access, the applicant shall provide to the City a confirmation from the owner of the subject adjacent property acknowledging support for this joint activity. All driveways allowing access to a public right-of-way shall be 40 feet wide allowing for a continuous turn in, right turn out and left turn stack/storage out. Depending on the impact of the proposed development, all or some combination of improvements such as deceleration/acceleration lanes, traffic signals, center storage lanes and pavement striping may be required. All applicants shall present to the City a traffic engineering report that includes but is not limited to the following:

- (1) Trip generation report.
- (2) On site improvement report.
- (3) Off site improvement report.
- (4) Overall traffic impact report.